IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

Bail Appl..No. 2987 of 2007()

(CRIME NO.154/07 OF IRITTY POLICE STATION)

PETITIONERS/ACCUSED 2,4,5,6,8 AND 9:

1. **K.GANGADHARAN, KUNDULLA PARAMBATH HOUSE, THILLANKERI P.O., KANNUR DISTRICT.**
2. **P.S.PRAKASH, "KAILASAM", THILLANKERI P.O., KANNUR.**
3. **K.P.SANTHOSH KUMAR, KUNDULLA PARAMBATH HOUSE, THILLANKERI P.O., KANNUR DISTRICT.**
4. **SASEENDRAN, KANNOTH HOUSE, THILLANKERI P.O., KANNUR.**
5. **NIPUN.P., ILLATH HOUSE, THILLANKERI P.O., KANNUR.**
6. **K.P.PREMAN, KUNHIPARAMBATH HOUSE, SIVAPURAM P.O., KANNUR.**

BY ADV. SRI.CIBI THOMAS

RESPONDENTS: COMPLAINANT/STATE:

1. **THE SUB INSPECTOR OF POLICE, IRITTY POLICE STATION.**
2. **STATE REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2987 OF 2007 C

Dated this the 25th day of May, 2007

O R D E R

Petitioners, who are accused Nos.2, 4, 5, 6, 8 and 9 in Crime No.154/07 of Iritty Police Station for offences punishable under Secs.143, 147, 148, 341, 462, 323, 324 and 307 read with sec.149 I.P.C. and section 3 (1) of the PDPP Act, seek anticipatory bail.

2. The learned counsel for the petitioners submitted that the 6th petitioner, who is the 9th accused, has since been arrested and he is, therefore, not pressing the application so far as it relates to the 6th petitioner.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners 1 to 5 to surrender before the Investigating Officer for the purpose of interrogation and then to have their application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioners 1 to 5 shall surrender before the investigating officer on any day between 30-05-2007 and 01-06-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioners 1 to 5 shall, thereafter, be produced on the same day before the Magistrate, who shall consider their application for regular bail, preferably on the same date on which such application is filed.

This petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

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